

Divorce Questionnaire

Note: All questions use masculine pronouns. This is not indicative of a preference toward either gender; I represent husbands **and** wives. I am avoiding the awkward expressions "he/she" or "him/her."

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Your Last Name:	First Name: Middle Name:
Home Phone Number:	Email Address:
Cel Phone Number:	Does your spouse have access to this email?
	Sex:
Home Address:	Send Mail to Home Address?
What county is this in?	
Place of Employment (include address):	Work Phone Number:
How long have you worked there?	Criminal History:
Date of Birth:	Place of Birth:
Texas Driver's License Number:	Social Security Number:

Have you talked to any other lawyers?	Do you smoke?
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Has the other party already filed?	If “yes,” do you want the divorce?
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How long have you lived in your (current) county of residence?	How long have you lived in Texas?
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How long has <spouse> lived in his (current) county of residence?	How long has <spouse> lived in Texas?
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Spouse’s full name:	Spouse’s date of birth:
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What name does he actually go by?	Spouse’s home address:
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Spouse’s place of birth: A description of spouse (for service of citation): Height: Weight: Color of hair: Distinguishing features:	Spouse’s social security number: <hr/> Spouse’s Texas driver’s license number:
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Who lives there with spouse? Does he smoke?	Wife's maiden name: Do you want to go back to your maiden name?
When did you get married (date)?	When did you separate (date)?
Where did you get married?	Is there any special reason that you split up?

Is there adultery involved?	Has there been any family violence ? Threats of physical violence? Did you live together prior to marriage? Was <spouse> married to another person during that time?
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How far did <spouse> go in school?

Where does <spouse> work (include address)?	What does he do there?
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How long has he been there?	What is his take-home pay?
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Does <spouse> ever get paid any commissions or bonuses?	Does <spouse> have any other source(s) of REGULAR INCOME [trust fund, etc.]?
Is your <spouse> in good health?	Does he have any physical handicaps?
How far did YOU go in school?	
What is your job title/description?	How long have you been there?
How much do they pay you (gross)?	Do you ever receive commissions or bonuses?
Do you have any other sources of regular income [trust fund, etc.]?	Do either you or <spouse> have an ownership interest in a business?

Children

Name and SSAN	Sex	Date of Birth	Place of Birth	Residence
Full Name:				
SSAN:				

Full Name:				
SSAN:				
Full Name:				
SSAN:				
[If any child is age 12 or older] Has the child ever said which parent he'd prefer to live with?				

Were any of these children adopted?	Do any of the children have any special medical or emotional problems?
Do any of the children own any property?	Does anybody have any health insurance on the child(ren)?
Are any of the children married? <hr/> Or have any children dropped out of school and gotten a GED?	Have any of the children ever been the subject of a court order?
During the time that you and <spouse> have been separated, has <spouse> given you (or have you given spouse) any money for informal child support ?	

Does either of you have MINOR CHILDREN by a **previous marriage** (or previous non-marital relationship)?

YOU:

NO YES

Child's name _____ DOB _____

Name of the child's other parent: _____

Where the child lives: _____

Has paternity been established? _____

Child's name _____ DOB _____

Name of the child's other parent: _____

Where the child lives: _____

Has paternity been established? _____

<SPOUSE>

NO YES

Child's name _____ DOB _____

Name of the child's other parent: _____

Where the child lives: _____

Has paternity been established? _____

Child's name _____ DOB _____

Name of the child's other parent: _____

Where the child lives: _____

Has paternity been established? _____

Is **either of you** currently paying Court-ordered child support?

Have you and <spouse> ever discussed child custody/child support/visitation?

YES NO

AGREEMENT THAT YOU MADE, or WHAT YOU WANT:

Is wife pregnant?

If "yes," when is the baby due?

Is there anything that you and <spouse> are **likely to fight about** in the divorce?

Does <spouse> use a FINANCIAL ADVISOR? Who?

NO YES

Who lives with you where you live?

Is <spouse> currently involved in any lawsuits (either as a Plaintiff or a Defendant)?

Are **you** currently involved in any lawsuits?

What kind of **car(s)** do you drive/have?

Year	Make	Model	Color	Titled in the name of:	When acquired	Current value

FINANCING OF THE CAR:

Name and Address of Creditor	Both sign?	When debt originated	Balance	Monthly payments	Who's making payments

What kind of **car(s)** does SPOUSE drive/have?

Year	Make	Model	Color	Titled in the name of:	When acquired	Current value

FINANCING OF <SPOUSE'S> CAR:

Name and Address of Creditor	Both sign?	When debt originated	Balance	Monthly payments	Who's making payments

Are you buying a house/making house payments?

[Under a regular **MORTGAGE** or
under a **CONTRACT FOR DEED**?]

Is either you or <spouse> currently in bankruptcy?

Employment benefits (retirement, 401k, IRA) - **YOURS:**

Employment benefits (retirement, 401k, IRA) - **SPOUSE's:**

Do you have a safe deposit box? What's in it?

Are you and/or <spouse> expecting an income tax refund any time soon?

Was there a bankruptcy filed at any time during the marriage?

Were there any IMPROVEMENTS or enhancements made to anybody's SEPARATE PROPERTY during the marriage?

<p>Are there any co-signers on any of these debts other than you and <spouse>?</p>	<p>Do you (and/or spouse) owe any back taxes of any kind?</p>
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<p>Have you and <spouse> made any kind of AGREEMENT about dividing up the property and the debts?</p> <p style="text-align: center;">YES NO</p> <p><input type="checkbox"/> AGREEMENT THAT THE PARTIES MADE:</p> <p><input type="checkbox"/> WHAT YOU WANT:</p>	
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<p>Does <spouse> have anything in his possession that you want?</p>	<p>Do you have anything in your possession that <spouse> would want?</p>
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<p>Does anybody owe you any significant amounts of money?</p>	<p>Does anybody owe <spouse> any significant amounts of money?</p>
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Have you and <spouse> ever filed for divorce before?	Have you and <spouse> been to a marriage counselor?
Have you ever been married before?	Has <spouse> ever been married before?
Did you and <spouse> sign a pre-nuptial agreement?	Do you and/or <spouse> have wills ?
Did you or <spouse> inherit any money during the marriage (and pay community debts with it)?	During the marriage, did you (or spouse) settle any personal injury cases?
Have you written any letters to <spouse> since the two of you separated?	Has <spouse> written any letters to you since the two of you separated?

ALIMONY ("MAINTENANCE")

§8.002, Texas Family Code: Eligibility for Maintenance; Court Order

(a) In a suit for dissolution of a marriage (or in a proceeding for maintenance in a court with personal jurisdiction over both former spouses following the dissolution of their marriage by a court that lacked personal jurisdiction over an absent spouse), the court may order maintenance for either spouse **only if**:

(1) the spouse from whom maintenance is requested was **convicted of** or received deferred adjudication for a criminal offense that also constitutes an act of **family violence** under Title 4 and the offense occurred:

- (A) **within two years** before the date on which a suit for dissolution of the marriage is filed; or
- (B) **while the suit is pending**; or

(2) the duration of the marriage was **10 years or longer**, the spouse seeking maintenance lacks sufficient property, including property distributed to the spouse under this code, to provide for the spouse's minimum reasonable needs, as limited by Section 8.005, and the spouse seeking maintenance:

- (A) is unable to support himself or herself through appropriate employment because of an **incapacitating physical or mental disability**;
- (B) is the custodian of a **child who requires substantial care** and personal supervision because a physical or mental disability makes it necessary, taking into consideration the needs of the child, that the spouse not be employed outside the home; or

(C) *clearly lacks earning ability* in the labor market adequate to provide support for the spouse's minimum reasonable needs, as limited by Section 8.005.

(b) A court may *enforce* an order for spousal maintenance under this section by ordering garnishment of the wages of the person ordered to pay the maintenance or by any other means available under Section 8.009.

..... most marriages don't qualify for alimony.

How would you like for the divorce to turn out?

NOTE: In Collin County and in Dallas County, certain temporary orders are "automatic" when you file for divorce.